



Office of Regulatory Staff  
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ORS.SC.GOV

**ANDREW M. BATEMAN**  
**Deputy Chief Counsel for ORS**

October 28, 2019

**VIA ELECTRONIC FILING**

Jocelyn G. Boyd, Esquire  
Chief Clerk & Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Re: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Progress, LLC's and Duke Energy Carolinas, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) – S.C. Code Ann. Section 58-41-20(A)

**Docket Nos. 2019-185-E and 2019-186-E**

Dear Ms. Boyd:

On October 23, 2019, Mr. Goldin, counsel for Johnson Development Associates, Incorporated ("JDA"), sent an E-Mail to Mr. Stark, an attorney for the South Carolina Public Service Commission ("Commission"), in which Mr. Goldin, proposed that intervenors in the above-mentioned dockets be permitted to submit "commercially reasonable fixed price power purchase agreement with a duration longer than ten years' with 'additional terms, conditions, and/or rate structures' for approval by the Commission."<sup>1</sup> In his E-Mail, Mr. Goldin proposed that intervenors be permitted to file proposal until October 31, 2019, and that Duke Energy Progress, LLC and Duke Energy Carolinas, LLC have until November 6, 2019, to file comments in response.

As a result, the Commission issued Order No. 2019-126-H, in which it stated that "[a]ll parties wishing to comment or respond to the proposal raised by the [SCSBA] and [JDA] in the

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<sup>1</sup> Mr. Goldin's E-Mail request was made on behalf of both his client, JDA, and the South Carolina Solar Business Alliance, Incorporated ("SCSBA").

Letter – Jocelyn G. Boyd, Esquire  
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email dated October 23, 2019, must file such comments or responses by Monday, October 28, 2019 – by 12:00 noon.”

The South Carolina Office of Regulatory Staff (“ORS”) has reviewed the E-Mail request submitted on behalf of JDA and SCSBA. ORS has no objection to the request provided that no new evidence or testimony is filed by the parties and that any proposal submitted to the Commission is based on the evidence currently in the record. Additionally, ORS reserves its right to respond to any proposal submitted in its proposed order.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. M. Bateman', with a long horizontal line extending to the right.

Andrew M. Bateman

cc: All Parties of Record (via E-Mail)  
Joseph Melchers, Esquire (via E-Mail)